

## **EXHIBIT B**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOHN DOE,	)	
	)	No. 08 C 1050
Plaintiff,	)	
	)	JUDGE JOAN B. GOTTSCHALL
v.	)	
	)	MAGISTRATE JUDGE
JASON FORTUNY,	)	ARLANDER KEYS
	)	
Defendant.	)	DEMAND FOR JURY TRIAL

**AFFIDAVIT OF SOPHIE M. DYE**

NOW COMES Sophie M. Dye, on behalf of Mudd Law Offices, an attorney licensed to practice law in Illinois, and states as follows:

1. Mudd Law Offices (the "Firm") represents Plaintiff John Doe in the above-captioned litigation.
2. On behalf of the Plaintiff, the Firm made a diligent inquiry to locate Defendant Jason Fortuny and determine his residence.
3. The Firm conducted research online.
4. The Firm reviewed information that Defendant Jason Fortuny published himself.
5. The Firm employed a special process server.
6. The Firm contacting Domains By Proxy, Inc. and DreamHost Web Hosting, two companies associated with Defendant Jason Fortuny's websites, <http://rfjason.livejournal.com/> and [www.RFJason.com](http://www.RFJason.com).
7. Based upon the Firm's research, it concluded that Defendant Jason Fortuny's residence was 320 10<sup>th</sup> Street, Unit #1 in Kirkland, Washington.

8. Upon determining his address, the Firm made reasonable efforts to obtain service on him.

9. The Firm retained a special process server, ABC Legal Services in Seattle, Washington, to obtain service of process on Defendant Fortuny.

10. The Firm instructed ABC Legal Services to make several attempts to obtain service on Defendant Fortuny.

11. ABC Legal Services did so.

12. On March 20, 2008, I sent ABC Legal Services by electronic mail links to pictures of Defendant Jason Fortuny for purposes of comparing them to an individual residing at the target address.

13. On April 10, 2008, I sent a copy of the Complaint filed in the above-captioned litigation and notification of the April 23, 2008 status hearing to DreamHost Web Hosting and Domains By Proxy, Inc.

14. I also sent a copy of the Complaint and notice of the hearing to Defendant Jason Fortuny at the electronic mail addresses [rfjason@livejournal.com](mailto:rfjason@livejournal.com) and [rfjason.com@domainsbyproxy.com](mailto:rfjason.com@domainsbyproxy.com).

15. On April 16, 2008, Kelly W. Lewis, Assistant General Counsel for Domains By Proxy, Inc., informed the Firm via electronic mail that she had forwarded the above-referenced documentation to Defendant Jason Fortuny. At that time, she also provided the contact information on file for Defendant Jason Fortuny, which identified his address as 726 Kirkland Circle, Apartment C203, in Kirkland, Washington. She also provided another email address for Defendant Fortuny: [rfjason@hotmail.com](mailto:rfjason@hotmail.com). The email is attached hereto as Exhibit 1.

16. Exhibit 1 represents an accurate reflection of the email sent to Charles Lee Mudd Jr. by Kelly W. Lewis.

17. The next day, April 17, 2008, Defendant Jason Fortuny commented on his website <http://rfjason.livejournal.com/> that he was being sued by Plaintiff John Doe.

18. On April 18, 2008, Defendant Jason Fortuny posted additional information about the above-captioned litigation to the same website.

19. On April 18, 2008, I saved and printed Defendant Jason Fortuny's posts from <http://rfjason.livejournal.com/>. These two posts referenced above have been attached hereto as Exhibit 2.

20. Exhibit 2 represents an accurate reflection of content appearing on Defendant Jason Fortuny's website at <http://rfjason.livejournal.com/> on April 18, 2008.

true and correct.

Date: May 7, 2008

  
\_\_\_\_\_  
Sophie Marie Dye

STATE OF ILLINOIS       )  
                                      ) SS:  
COUNTY OF COOK        )

The foregoing AFFIDAVIT OF SOPHIE MARIE DYE has been subscribed and  
sworn to before me this 7 day of May 2008 by Sophie Marie Dye.

  
\_\_\_\_\_  
Notary Public

My commission expires:



March 16, 2011